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26 UNITED STATES DISTRICT COURT

27 NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

28 STEPHEN WILSON, an individual,

Case No. 22-cv-06671-DMR

Plaintiff,

Hon. Donna M. Ryu

v.

COUNTY OF ALAMEDA; COUNTY OF
ALAMEDA BOARD OF SUPERVISORS,

**JOINT STIPULATION AND
ORDER (AS MODIFIED) TO
CONTINUE INITIAL CASE
MANAGEMENT CONFERENCE**

Defendants.

1 Plaintiff Stephen Wilson (“Plaintiff”) and Defendants County of Alameda and County
 2 of Alameda Board of Supervisors (collectively, “Defendants”) stipulate as follows:

3 On October 28, 2022, Plaintiff filed the Complaint in the instant action, Dkt. No. 1, and
 4 on October 31, 2022, the Court issued an Order setting the Initial Case Management
 5 Conference (“CMC”) for February 1, 2023. Dkt. No. 3

6 On December 12, 2022, the parties stipulated to extend Defendants’ response to the
 7 Complaint by 15 days, and on January 3, 2023, stipulated to an additional 14-day extension to
 8 January 17, 2023. Dkt. No. 14.

9 On January 17, 2023, Defendants filed in response to the Complaint a motion to
 10 dismiss the Complaint or, alternately, strike portions of the Complaint pursuant to FRCP Rules
 11 8 and 12(f), set to be heard on April 27, 2023. Dkt. Nos. 17, 20.

12 On January 23, 2023, Plaintiff’s counsel informed Defendants’ counsel that Plaintiff
 13 intends to file a First Amended Complaint, as a matter of course, by February 7, 2023, pursuant
 14 to FRCP 15(a)(1)(B).

15 The parties agree that it is in the interest of judicial economy and having a more
 16 productive CMC to continue the CMC to a date falling after Plaintiff files his FAC, and, if
 17 possible, after Defendants have responded to the FAC, however, without prejudice to
 18 Defendants’ right to request additional time to respond to the FAC, if necessary.

19 The parties therefore respectfully request that the Court continue the February 1, 2023
 20 CMC to March 15, 2023, or an alternate date that the Court’s calendar allows.

21 IT IS SO STIPULATED AND AGREED.

22 Dated: January 24, 2023

SPERTUS, LANDES & UMHOFER, LLP

23 By: /S/ Ezra D. Landes
 Ezra D. Landes
 24 Lindsey Hay
 Attorneys for Plaintiff

25
 26 Dated: January 24, 2023

ROBYN FASS WANG

27 By: /S/ Robyn Fass Wang
 Attorney for Plaintiff

1 Dated: January 24, 2023

BERTRAND, FOX, ELLIOT, OSMAN & WENZEL
2 By: /S/ Michael C. Wenzel
Michael Wenzel
3 Ilana Kohn
Attorneys for Defendants
4

5 **ATTORNEY ATTESTATION**

6 I, Ezra D. Landes, am the ECF user whose identification and password are being used
7 to file the foregoing documents. Pursuant to Civil Local Rule 5.1(i), I hereby attest that
8 concurrence in the filing of these documents has been obtained from each of its Signatories.
9

10 Dated: January 24, 2023

/s/ Ezra D. Landes
Ezra D. Landes

13 **ORDER (AS MODIFIED)**

14 GOOD CAUSE APPEARING THEREFORE, and the parties having stipulated to the
15 same, the parties' stipulation to continue the Initial Case Management Conference is hereby
16 APPROVED. The Initial Case Management Conference set for February 1, 2023 at 1:30 p.m.
17 is continued to April 27, 2023 at 1:00 p.m. in Oakland by Videoconference only to coincide
18 with the hearing on Defendant County of Alameda's Motion to Dismiss. Parties shall file a
19 joint case management conference statement by April 20, 2023.

21 **IT IS SO ORDERED AS MODIFIED.**

23 Dated: January 25, 2023

25 By:

